MEMORANDUM

Agenda Item No. 5(E)

TO: Honorable Chairman Oliver G. Gilbert, III

and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan

County Attorney

SUBJECT: Resolution granting petition to

close NW 104 Street from 181.85 feet east of the centerline of NW 7 Avenue east for 100 feet (Vacation of Right-of-Way

Petition No. P-964) filed by USA Real Estate and Investment, LLC subject to certain conditions; retaining a non-exclusive utility easement right; and authorizing the County Mayor to execute the

non-exclusive utility easement and to exercise all rights

conferred therein

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Marleine Bastien.

Geri Bonzon-Keenan

County Attorney

GBK/uw



December 12, 2023 Date:

To: Honorable Chairman Oliver G. Gilbert, III

and Members, Board of County Commissioners

Daniella Levine Cava
Mayor

Amella Levine Cava

Mayor From:

Mayor

Vacation of Right-of-Way Petition P-964 **Subject:**

Section: 36-52-41

NW 104 Street from 181.85 Feet East of the Centerline of NW 7 Avenue East for 100 Feet

Commission District: 2

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by USA Real Estate and Investment, LLC to vacate the subject portion of County right-of-way. If this petition is granted, the underlying lands will become incorporated into the plat of UP TO YOU. The \$13,460.00 fee for this vacation of right-of-way petition has been paid.

Recommendation

It is recommended that the Board grant vacation of right-of-way petition P-964, attached to this Memorandum as Exhibit 2, following a public hearing, and contingent on the recording of the plat of UP TO YOU, Tentative Plat T-24437. In the event the plat is not recorded within four years of the granting of the subject vacation of right-of-way petition, this resolution becomes null and void. The Miami-Dade County (County) Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer (WASD), and Fire Rescue have no objection to this portion of right-of-way being vacated. This request conforms with County regulations governing the procedures for the vacation of County right-of-way as set forth in Resolution No. 7606. The subject right-of-way is covered with pavement. Location maps are attached as Exhibit 1.

Scope

The subject vacation of right-of-way petition is located within District 2, which is represented by Commissioner Marleine Bastien.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the properties adjacent to the subject portion of right-of-way at an average rate of \$23.00 per square foot. Therefore, the estimated value of the subject land is approximately \$115,000. If the subject portion of right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$1,960 per year in additional property taxes. The fee for this vacation of right-of-way petition is \$13,460.00.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring is Maria D. Molina, P.E., Chief, Right-of-Way Division.

Attachments: Exhibit 1 – Location Maps, Exhibit 2 – Vacation of Right-of-Way Petition P-964, Exhibit "A" to Petition – Sketch and Legal Description, Exhibit "B" to Petition – Tentative Plat T-24437, and Exhibit 3 – Non-Exclusive Utility Easement, Exhibit "A" to Easement – Sketch and Legal Description of Easement Area

Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners Page 2

Delegated Authority

There is no delegation of authority associated with this item.

Background

The owner of the properties abutting on the subject portion of right-of-way, USA Real Estate and Investment, LLC, wishes to close NW 104 Street from 181.85 feet east of the centerline of NW 7 Avenue east for 100 feet to incorporate the land into the proposed plat of UP TO YOU, Tentative Plat T-24437. The subject portion of right-of-way is paved and used as an entrance and parking area for the business that operates on the abutting properties. This portion of right-of-way has never been improved nor maintained by the County for roadway purposes. WASD owns water and sewer infrastructure that lies within the subject right-of-way. For this reason, the County will retain a non-exclusive utility easement, attached as Exhibit 3, over, along, and under a portion of the subject land if the Board approves the granting of this petition. Public access to this land is obstructed by a metal fence and gate.

This land was dedicated to the County for roadway purposes in 1945 by the plat of SUNCREST, recorded in Plat Book 43, at Page 70, of the Public Records of Miami-Dade County, Florida. The properties abutting on the subject portion of right-of-way are zoned NCUAD (North Central Urban Area District).

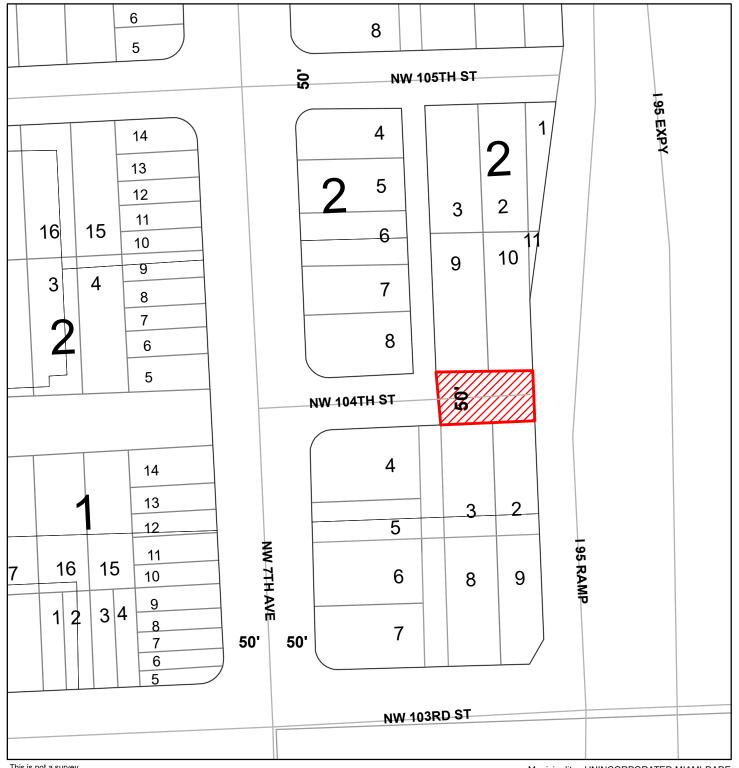
Jimmy Morales

Chief Operations Officer

Location & Aerial Map

SECTION 36 TOWNSHIP 52 S RANGE 41 E

EXHIBIT "1"



This is not a survey

P-964

Municipality: UNINCORPORATED MIAMI-DADE Commission District: Marleine Bastien 2

Legend



MIAMI-DADE COUNTY Department of Transportation & Public Works Right-of-Way Division

111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

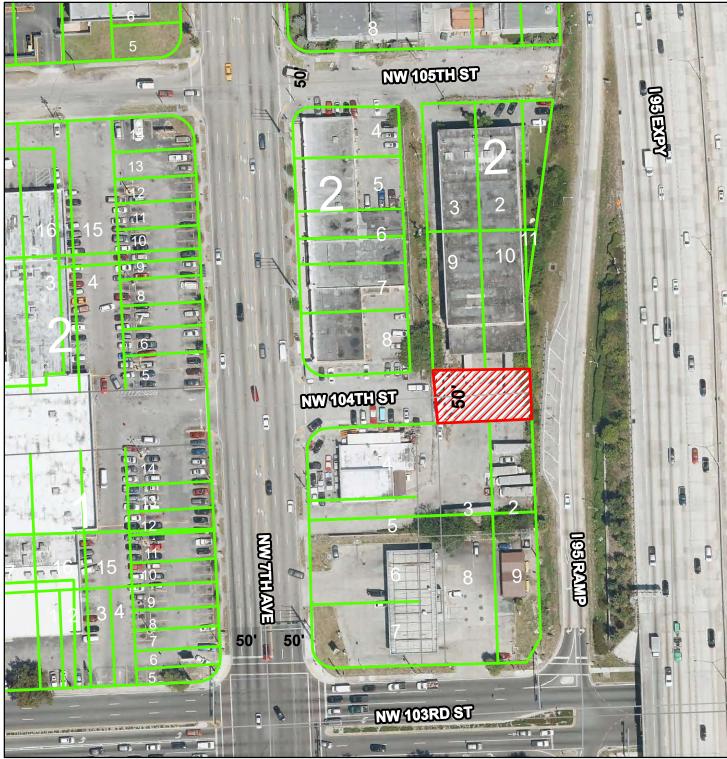
MDC004

Location & Aerial Map

SECTION 36 TOWNSHIP 52 S RANGE 41 E

EXHIBIT "1"





This is not a survey

P-964

Municipality: UNINCORPORATED MIAMI-DADE Commission District: Marleine Bastien 2

Legend



MIAMI-DADE COUNTY
Department of Transportation & Public Works
Right-of-Way Division

111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825
MDC005

Date: July 13 ,2020 Prepared by : ym

EXHIBIT 2

PETITION TO CLOSE ROAD

TO: Board of County Commissioners Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petitions the Board of County Commissioners to vacate, abandon, discontinue and close an existing public street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the road, right-of-way sought to be closed is as follows:

See attached Exhibit "A".

2. PUBLIC INTEREST IN ROAD: The title or interest of the county and the Public in and to the above described road, right-of-way was acquired and is evidenced in the following manner (state whether public interest was acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

Public interest was acquired by the Suncrest plat recorded in PB 43, PG 70.

3. ATTACH SURVEY SKETCH: Attached hereto is a survey accurately showing and describing the above described right-of-way and its location and relation to surrounding property, and showing all encroachments and utility easements.

SEE EXHIBIT "B" ATTACHED.

4. ABUTTING PROPERTY OWNERS: the following constitutes a complete and accurate schedule of all owners of property abutting upon the above described right-of-way.

PRINT NAME	FOLIO NO.	ADDRESS
USA Real Estate and Investment, LLC	30-2136-019-0020 30-2136-019-0010	650 NW 105 th St. 10325 NW 7 th Ave.

- 5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.
- 6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

The portion of NW 104th Street we are seeking to vacate no longer serves as a thru street as the street now dead ends as a result of the construction of I-95. Our intent is to vacate the R/W in order to make improvements on said R/W as well as to secure the area. The County will have no further responsibility to maintain the R/W and by vacating the R/W the County will collect additional taxes on the vacated area.

7. Signatures of **all** abutting property owners: Respectfully submitted,

SIGNATURE

ADDRESS

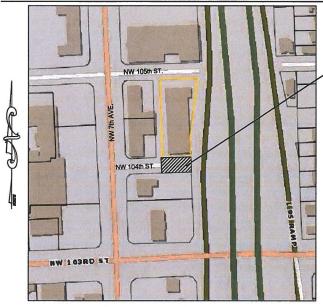
650 NW 105 H St. 4 10 325 NW 7H Am

Attorney for Petitioner	
Address:Signature of Attorney not requir	ed)
STATE OF FLORIDA)	S
BROWARD COUNTY)	
duly sworn, deposes and says that he/she the foregoing petition; that he/she is du	personally appeared Yonit Sapir, who first by me is one of the petitioners named in and who signed ly authorized to make this verification for and on read the foregoing petition and that the statements
	(Signature of Petitioner)
	(Signature of Petitioner)
Sworn and subscribed to before me this	
Notary Public State of Florida at Large	Shaul Avin Commission # GG314634 Expires: July 8, 2023 Bonded Thru Aaron Notar
My Commission Expires: 07/08/20	23

EXHIBIT "A" TO PETITION

Sketch and legal

FOR N.W. 104th STREET RIGHT OF WAY PURPOSE



APPROXIMATE LOCATION

PROPERTY ADDRESS:

FOLIO NO. 30-2136-019-0020 (REFERENCE)

REFERENCE ADDRESS:

650 NW 105 ST MIAMI, FL 33150

LOCATION MAP

SECTION 36, TOWNSHIP 52 SOUTH, RANGE 41 EAST LYING AND BEING IN MIAMI-DADE COUNTY FLORIDA (NOT TO SCALE)

SURVEYOR'S NOTES:

- 1.) THIS IS NOT A SURVEY.
 2.) BEARINGS AND COORDINATES SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON THE FLORIDA STATE PLANES COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 1990.
 3.) TYPE OF SURVEY: SPECIFIC PURPOSE SURVEY.
 4.) ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD U.S. FOOT.

- 5.) BEARINGS SHOWN HEREON AND NORTH ARROW DIRECTION ARE BASED ON AN ASSUMED VALUE OF 5.) BEARINGS SHOWN HEREON AND NORTH ARKOW DIRECTION ARE BASED ON AN ASSUMED VALUE OF N. 87'52'41" E, ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET IN MIAMI-DADE COUNTY, FLORIDA, AND ALL OTHER ARE RELATIVE THERETO.
 6.) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.
 7.) UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON, CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK OR CONSTRUCTION ON THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY OCCURRENCE OF THE PROPERTY HEREIN DESCRIBED.

- - DEVIATION FROM UTILITIES SHOWN HEREON.

ENCUMBRANCES NOT SHOWN ON THE PLAT. FENCE OWNERSHIP NOT DETERMINED.

NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
THE SOURCES OF DATA USED FOR THE PREPARATION OF THIS SPECIFIC SURVEY IS
"SUNCREST". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, AT PAGE 70, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THIS IS NOT A SURVEY NOT VALID WITHOUT SHEET 2 AND 3 OF 3.

PARCEL NUMBER: 30-2136-019-0020 (REF.)

LOCATION MAP, SURVEYORS NOTES, PROPERTY ADDRESS

Project No.: N/A

SKETCH Drawn by: M.G. SHEET 1 OF 3 Approved by: AM

DATE: 06-11-2020

Scale: AS SHOWN



PROFESSIONAL SURVEYORS AND MAPPERS L.B. No. 7633

1435 S.W. 87th AVENUE SUITE "201" MIAMI, FL 33174 PHONE: (305) 556-4002 FAX: (305) 556-4003 **EMAIL:** JFEE@LMSURVEYING.COM

SKETCH AND LEGAL

FOR N.W. 104th STREET RIGHT OF WAY PURPOSE SEC. 36. TWP. 52 S. RNG. 41 E.

PROPOSE LEGAL DESCRIPTION OF PARCEL "A":

A PARCEL OF LAND LYING WITHIN N.W. 104th STREET, OF "SUNCREST", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR RIGHT OF WAY PURPOSE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE EXTENSION LINES OF THE EAST RIGHT OF WAY LINE OF N.W. 7th AVENUE AND THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET, ACCORDING TO THE PLAT BOOK 43, PAGE 70. THENCE N87'52'45"E ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET A DISTANCE OF 131.85 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND. THENCE CONTINUE N87'52'45"E A DISTANCE OF 100 FEET. THENCE N02'42'50"W, ALONG THE NORTHERN EXTENSION OF THE EAST LINE OF LOT 2, BLOCK 1 OF PLAT BOOK 43, PAGE 70, TO THE POINT ON THE NORTH RIGHT OF WAY LINE OF N.W. 104th STREET, A DISTANCE OF 50 FEET. THENCE S87'52'45"W ALONG THE NORTH RIGHT OF WAY LINE OF N.W. 104th STREET A DISTANCE OF 100 FEET. THENCE S02'42'51"E A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 5,000 SQUARE FEET 0.115 ACRES MORE OR LESS.

LEGEND

		_
ABBREVIATION	-	DEFINITION
R/W P.B.		RIGHT OF WAY PLAT BOOK
O.R.B. PG.		OFFICIAL RECORD BOOK PAGE
P.O.C. P.O.B.		POINT OF COMMENCE POINT OF BEGINNING
BLK. M C∕L		BLOCK MONUMENT LINE CENTER LINE
REF. PROP.		REFERENCE PROPOSED FOUND NAIL & DISK
•		POINT OF CURVATURE

SURVEYOR'S CERTIFICATION:

THE BEST OF MY KNOWLEIGE AND BELIEF THAT JUIS "SKETCH AND LEGAL"

MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE STATE OF
FLORIDA BOARD OF PROFESSIONAL AND SURVEYORS

FOR THE FIRM ARTURO MENDIOCIDEA, P.S.M., No. 5844—STATE OF FLORIDA NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MARPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY-OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES AND/OR NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

THIS IS NOT A SURVEY NOT VALID WITHOUT SHEET 1 AND 3 OF 3.

FOLIO NUMBER: 30-2136-019-0020 (REF.)

LEGAL DESCRIPTION OF PARCEL & LEGEND

Project No.: N/A

Drawn by: M.G. SKETCH

Approved by: AM SHEET 2 OF 3

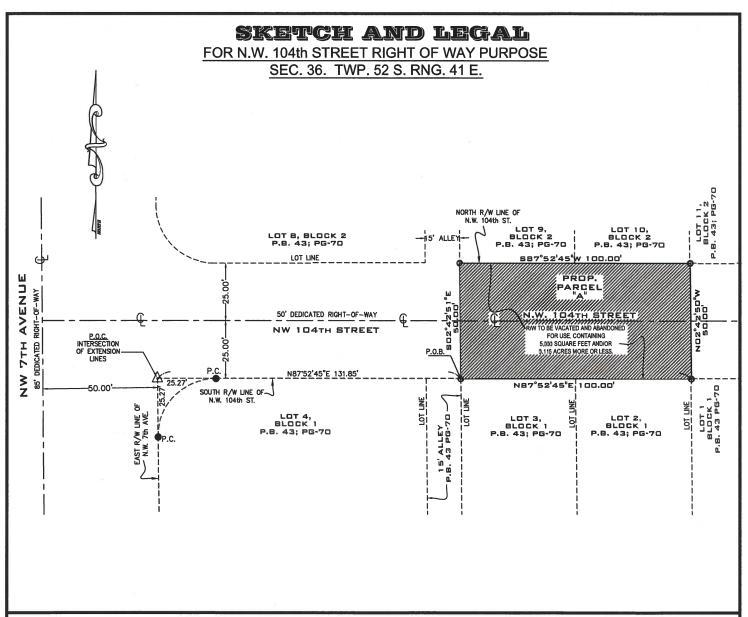
Date: 06-15-2020 Scale: N/A

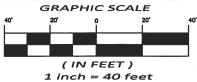


SUITE "201" MIAMI, FL 33174 PHONE: (305) 556-4002 FAX: (305) 556-4003 EMAIL: JFEE@LMSURVEYING.COM MDC011

1435 S.W. 87th AVENUE

L.B. No. 7633





PROPOSED LAND USE CONTAINING 5,000 SQUARE FEET; 0.115 ACRES MORE OR LESS

THIS IS NOT A SURVEY NOT VALID WITHOUT SHEET 1 AND 2 OF 3.

FOLIO NUMBER: 3	30-2136-019-0020 (REF.)
EXHIBIT "A"	41
Project No.: N/A	
Drawn by: M.G.	SKETCH
Approved by: AM	SHEET 3 OF 3
Date: 06-15-2020	Scale: 1" - 40'



L.B. No. 7633

1435 S.W. 87th AVENUE SUITE "201" MIAMI, FL 33174 PHONE: (305) 556-4002 FAX: (305) 556-4003 EMAIL: JFEE@LMSURVEYING.COM

EXHIBIT "B"

PROJECT NAME

SHEET NAME: TYPE OF PROJECT: TENTATIVE PLA LOCATION MAP, LEGAL DESCRIPTION, SURVEYOR'S NOTES, DEVELOPMENT CRITERIA & MONUMENT TABLES

TENTATIVE PLAT OF UP TO YOU

CONTACT PERSON INFORMATION

N.W. CORNER OF S.W. 1/4, C SECTION: 36-52S-41E

N.W. 111th STREET

A REPLAT OF A PORTION OF BLOCK 2 AND BLOCK 1, OF SUNCREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, AT PAGE 70, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. LYING AND BEING IN SECTION 36, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA

PLAT

Telephone Number: (770) 875-2720	Name: USA REAL ESTATE AND INVESTMENT, LLC	OWNER'S CONTACT INFORMATION
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SPIAT IS TO CLOSE, VACATE, IM PUBLIC USE THAT PORTION 5,000 SQ, FT, LYING WITHIN TO	AN EXPRESS PURPOSE OF THIS RE-PLAT IS TO CLOSE, VACATE, ABANDON, AND DISCONTINUE FROM PUBLIC USE THAT PORTION OF N.W. ICAHO STREET CONTAINING 5,000 SQ. FT. LYING WITHIN THE BOUNDARIES OF THIS FLAT
17,045 SQ.FT. WAREHOUSE BUILDING TO REMAIN. #10325	P. C. 1140
3,386 SQ.FT. COMMERCIAL BUILDING TO REMAIN. #650	PYICTIME HOP
TRACT "A" & TRACT "B"	PROPOSED USES
UC-MCS-UC CENTER MIXED USE SPECIAL	ZONING
CRITERIA TABLE	DEVELOPMENT CRITERIA TABLE

N.W. CORNER OF S.W. 1/4, OF S.W. 1/4 OF SECTION: 36-52S-41E

SEC.: 36-52S-41E

S.W. 1/4 OF

S.R. 7

N.W. 7th AVENUE / US 441

I-95 Expy. / S.R. 9A

SECURITY HOMESITES P.B. 39-21

SUNCREST 1st ADD. P.B. 49-80

AREA OF PROPERTY: 32,448 SQUARE FIET AND/OR 0.745 ACRES MORE OR LESS.

AREA OF PROPERTY: 25,349 SQUARE FEET AND/OR 0.582 ACRES MORE OR LESS.

S.W. CORNER OF SECTION: 36-52S-41E

N.W. 103rd STREET

UNIS 1, 2, 3, 9 (0 MD 11, BLOCK 2 OF SUMESS) ACCROMED TO THE PLAT THEREOF, AS RECORDED IN PLAT (BOX CAT, AT PLAKE 27), OF THE PLANE) PECCORDES OF MAN DATE COUNTY, TORRIA, LIES MAD DOEDY THAT PROTICE OF SHILD LOTS; AND 11 REQUIXED, CONNECTION TO THE STATE OF FLORIDA FOR NORTH—SOUTH DEPRESSIONY (1—5) SECTION, 67270—2411, MANN DATE COLNIT, FLORIDA.

HAIT PORTION OF RIGHT OF WAY TO BE VACATED AND ABANDONED FROM USED BY THIS PLAT, I-VING WITHIN MIX. (1941. STREET, OF SUNCHEST, ACCORDING TO THE PUT HEREOF, AS RECORDED IN PLAT BOOK 43, AT PAGE 70 OF THE PUBLIC RECORDS OF MAIN-DUBC COUNTY, FLORIDA.

650 NW 105 ST MAM, FL 33150 PROPERTY ADDRESS:

10325 NW 7 AVENUE MAM, RL 33150 "OLIO NO. 30-2136-019-0010

LEGAL DESCRIPTION:

UNS 2 MO 3, BOOK 2, LESS HE SOLRENY 25 ETET, MO ML OF UNF 4 MO UT S, LESS HE SOLRENY 25 ETET MO ML OF UNF 4 MO UT S, LESS HE SOLRENY 25 ETET ME ROOM OF S MEAST, MAXIMON OF BE ATH TREET, AS RECEIVED AND MAD ARE COMPY.

FROM THE MEAST LIKE OF THE SOLRENY 25 ETET OF MOUTHS 2 MO 21 ME ADOM, LESS SICH FROM THE MEAST LIKE OF THE SOLRENY 25 ETET OF MOUTHS 2 MO 21 ME ADOM, LESS SICH FROM THE MEST, F MY HEREOUTHE CONNED ON EXDICATE THE STREET MESHAGE HEREOUTHE CONNED ON EXDICATE OF THE STREET MESHAGE HEREOUTHE CONNED ON EXCENTING THE STREET MESHAGE HEREOUTHER CONNED ON EXCENTING THE STREET MESHAGE THE STREET MESHAGE HEREOUTHER CONNED ON THE STREET MESHAGE THE

LOCATION MAP

SECTION 36, TOWNSHIP 52 SOUTH, RANGE 41 EAST BEING IN MIAMI-DADE COUNTY, FLORIDA (SCALE: 1" = 300')

THIS DOCUMENT CONSIST OF 2 SHEETS AND NEITHER SHALL BE CONSIDERED FULL, VALID AND COMPLETE WITHOUT THE OTHERS.

2.) THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM OF ENCUMBRANCES, ABSTRACT WAS REVIEWED. SURVEYOR'S NOTES: THE HEREIN CAPTIONED PROPERTY WAS SURVEYED AND DESCRIBED BASED ON THE SHOWN LEGAL DESCRIPTION: PROVIDED BY CLIENT.

3.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY AFFECTIONS THIS PROPERTY.

4) ACCIANCY, THE EFFECTED USE OF THE LAND, AS CLASSIFED IN LODGE, MAINLAN ECHANCA, STRANGES (S.H.755FA), IS, TESTEDATAL/THE MAINLAN BEAUTH, DESTRUCK COURSEOF, THIS IS THE OF ETHALING EACH SHOP IS TOOM IN 7.500. THEIR THE CHARGE OF THE PROPERTY IS FOUND TO EXCELD THIS REQUIRED BY MEASUREMENT AND CALCILLITION OF A CLOSED GROWING FIGURE WAS FOUND TO EXCELD THIS REQUIRED.

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6.) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.

8) NUMBER OF PROPOSED TRACTS: 2 TRACTS
A) TRACT TS: 25,748 S.F. AND/OR 0.859 ACRS MORE OR LESS.
b) TRACT TS: 25,748 S.F. AND/OR 0.859 ACRS MORE OR LESS.
- TOTAL AREA OF PROPOSED TRACT "A" AND "B": 62,819 S.F. AND/OR 1.441 ACRES MORE OR LESS.

7), Juneergound utilltes are not genoted hereon, contact the appropriate authority prior to any design work Or Construction on the property herein described, supveyor shall be notified as to any devanton from utilities Shown hereon.

9.) PUBLIC WATER TO BE UTILIZED.

10.) PUBLIC SEWER TO BE UTILIZED.

11.A) PROPOSED USE: SEE DEVELOPMENT CRITERIA TABLE

12.) MIAMI-DADE COUNTY FLOOD ELEVATION CRITERIA: 9.5' FEET (N.G.V.D.29), AS PER:

N.W. 2nd AVENUE

12) JAMAG-JOHIS COMEY FLOOD ESPATION CHETENA 9.5 FEET (NAL/ADS) AS FEES

13.) TOTAL AREA OF PARCEL I AND PARCEL 2: 57,797 SQUARE FEET AND/OR 1.327 ACRES MORE OR LESS.
14.) OWNERSHEP SUBJECT TO OPPOING OF TILL.
15.) THE OF SURFAYS BOUNDARY AND THE PORPORED WHENEY FOR THE PRIPROSE OF TENTATION FLAT.
15.) THE OF SURFAYS BOUNDARY AND THE PORPORED WHENEY FOR THE PRIPROSE OF TENTATION FLAT.
15.1 THE STRIANGE PLAT SURFAY IS NOT COMPLETE WITHOUT ALL TWO SHEETS.
15.1 NORTH ARROW DIRECTION AND REARINGS SHOWN HEREON ARE BASED ON ASSURED VALUE IN 0244730 W ALD/OR THE DESIRED ON THE OFFICE AND AND THE PRIPROSE OF ANY THE OFFICE AND AND THE OFFICE AND

17.) UNLESS OTHERWISE NOTED, THIS PROFESSIONAL SURVEYOR AND MAPPERS HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS (UNDERGROUND).

18.) THE U.S. DEPARTMENT OF FEDERAL DIERRODCY MANAGEMENT AGENCY, DELINEATES THE HEREN DESCRIBED LAND TO BE STUNETD WHINE FLOOD ZONE: X: BASE FLOOD ELEVATION: N/A; PANEL NO.1208000302 L; COMMUNITY: 120835; MAP REVISED SEPTEMENT 17, 2009

19.) \times X.XX INDICATES EXISTING ELEVATION. 20.) ELEVATIONS SHOWN HEREIN ARE REFERRED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, (N.G.V.D.29).

20.A) MIAMI-DADE COUNTY BENCH MARK USED: L-16 ELEVATION= 9.96 (N.G.V.D.29)

20.B) BENCH MARK LOCATION:
- N.W. 103rd ST ----- 102.5 FEET SOUTH OF CENTER LINE
- N.W. 7th AVE ----- 2.6 FEET WEST OF WEST EDGE OF PAVEMENT.

S.E. CORNER OF S.W. 1/4, OF SECTION: 36-52S-41E

21.) FIELD WORK SURVEY DATE: MARCH 17, 2023. BRASS BAR IN CONCRETE MONUMENT LOCATED BETWEEN SIDEWALK AND CURB.

21) THE SOURCES OF DATA USED FOR THE PREPARATION OF THIS BOUNDARY SURVEY IS "SAKDEST", ACCIDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, AT PAGE 70, OF THE PUBLIC RECORDS OF MAMA DADE COUNTY, FLORIDA. 22.) PROPERTY ADDRESS: REFERENCE: 650 NW 105 STREET, MIAMI, FL 33150. FOLIO: 30-2136-019-0020

SURVEYOR'S CERTIFICATE:

22.) THIS MAP OF SURVEY IS INTENDED TO BE DISPLAYED AT A SCALE OF ONE INCH EQUALS 30 FEET OR SMALLER.

HERBY CERRY TO THE BEST OF MY MONALIZES AND BELIEF THAT THIS BOUNDARY AND TOPOGRAPHIC SINKEY MAY IS TRUE WHO CREASECT, THAT IT WAS AND EMPORATE OF PROFITED BY THE THE STANDARDS OF PROFITED BY THE THE STANDARDS OF PROFITED BY THE THE STANDARD OF THE TESTONAL SURVEY OF THE THE STANDARD BY THE THE STANDARD OF THE TESTONAL SURVEY BY THE THE STANDARD BY THE THE STANDARD OF THE TESTONAL SURVEY BY THE THE STANDARD BY THE THE STANDARD OF THE STANDARD STANDARD STANDARD BY THE STANDA

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SURVEYING & ASSOCIATES, INC.		こくろうくので、米		7				
	LB No. 7633	LANDMARKSURVEYING@HOTMAIL.COM	WWW.LMSURVEYING.COM	FAX: (305) 556-4003	PHONE: (205) 556-4002	PO.BOX 127601	AND MAPPERS	PROFESSIONAL SURVEYORS
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Li	OIDM.	466.5	4	CO.	N		No.	NC.
			03-17-2023	11-28-2022	11-16-2021	07-30-2020	DATE	
			UPDATED SURVEY	UPDATED BY COMMENTS	UPDATED BY COMMENTS	REVISED BY COMMENTS	DESCRIPTION	RECORD OF REVISION
			M.G.	M.G.	M.G.	M.G.	BY	
		Ļ	H	J. PEE	357	7.152	APP.	Ц
SHEET OF 2 SHEETS		N/N	J. FEE Project No.: NI/A	Scale: AS SHOWN	DATE: JUNE 11-2020	PATE	Check by: A. MENDIGUTIA	Drawn by: M.G.

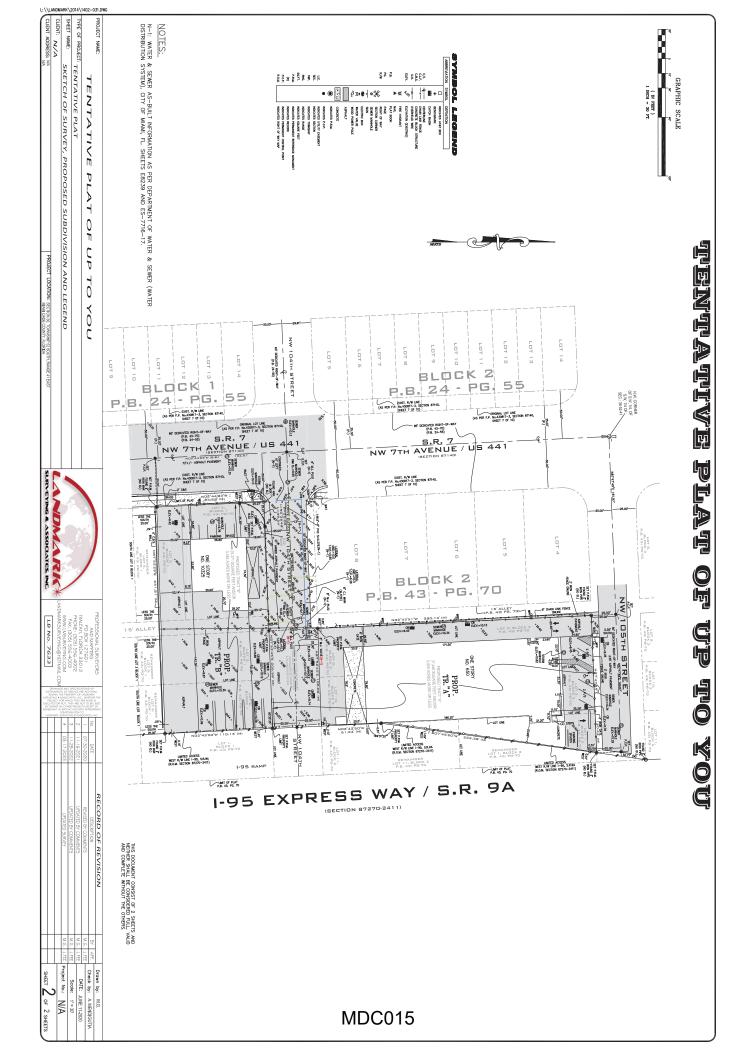


EXHIBIT 3

Exhibit 3

Return to:

Miami-Dade County Department of Transportation and Public Works Right-of-Way Division 111 NW 1st Street, Suite 1620 Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore, P.S.M.

Department of Transportation and Public Works 111 NW $1^{\rm st}$ Street, Suite 1620 Miami, FL 33128-1970

RESERVATION OF NON-EXCLUSIVE UTILITY EASEMENT

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

TH	IIS	RESERVATION	OF NON-EXC	LUSIVE	UTILIT	Y EASE	EMENT, ${ m i}$	s made
this _		_ day of		, 202_	, in f	avor	of MIAM	II-DADE
COUNTY,	a	political	subdivision	of t	he Stat	te of	Florid	a, its
success	sors	s and assigns	s (the "Cour	nty"),				

WHEREAS, on $__$, t	the i	Miami	-Dade	County	Board	of
County Commissioners	adopted	Resolu	ution	n No.	R		, clos	ing
the road identified a	as			; and			_	

WHEREAS, as a condition of the road closure, the County reserved a non-exclusive utility easement, as further described herein,

WITNESSETH:

That the County, for and in consideration of benefits to the general public and for further good and valuable considerations, does hereby reserve a NON-EXCLUSIVE UTILITY EASEMENT for the purpose of constructing and maintaining utilities, including but not limited to the right to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and all appurtenances thereto, including but not limited to fire hydrants, and/or sewage transmission and collection facilities and all

appurtenant equipment, which right, privilege and easement (as that term is defined herein) shall include the right to remove or demolish, with no obligation to repair or replace same, any obstructions placed on the easement, including pavers, or that may extend up to twenty-five (25) feet vertically above the finished grade over the easement, as may be necessary to carry out any rights reserved herein over, along, and under the following described parcel of land, situate, lying, and being in Miami-Dade County, State of Florida, "the easement," to-wit:

SEE ATTACHED EXHIBIT "A"

The reservation of this non-exclusive easement and the County's use thereof shall be superior to any other use inconsistent therewith, as determined in the sole discretion of the County. This easement also provides the County with the full and unlimited right of ingress thereto and egress there from on the property located at 650 NW 105 Street, Miami, FL 33150 and the easement described in Exhibit A.

IN WITNESS WHEREOF, the County has caused this reservation to be executed on its behalf, the day and year first above written.

ATTEST:

JUAN FERNANDEZ-BARQUIN, Clerk of the Court and Comptroller	MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS
Attested By:	Ву:
Deputy Clerk:	County Mayor
Approved as to form and legal sufficiency	
Assistant County Attorney	

Page 2 of 4

The			accepted , 2023							of of
the			Commission							
	TE OF FLOI))ss E)							
take	_, before e acknowle	me, an edgments	FY, that officer dominationucing the to be the	uly an lly an foll	uthoriz opeared owing	ed to by me per forms	adminiseans of sonally of ide	ter o []phy know entif	aths sical n to sication	and or me, on:
Said	d person	execu	politica ted the purposes	l subo	divisio egoing	n of t inst	the State rument	e of	Flori	da.
afoı		-	nd and of and year :				ne Coun	ty ar	nd St	ate
				Nota	ary Sig	nature	 e			
				—— Prin	nted No	tary S	Signatur	`e		
NOTA	ARY SEAL/S	STAMP		Nota	ary Pub	lic, S	State of			
				Му	commiss	ion ex	xpires:			
				Comr	nission	/Seria	al No			

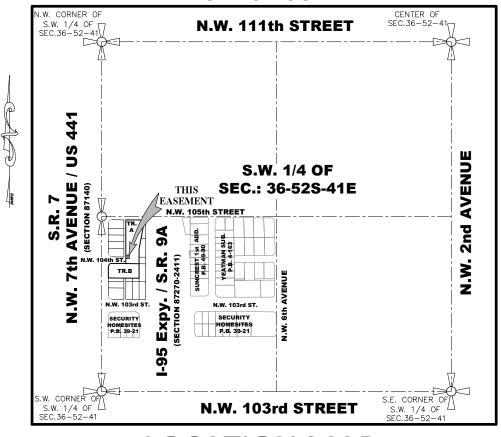
Approved and accepted by:

Signed, Sealed and Delivered	
in our presence: (2 witnesses for each signature or for all	s L)
Witness	USA REAL ESTATE AND
Printed Name & Address Fiz	3024 (Sign)
Witness	By: Member Bar
Maria Asurene/6612 Stirling R1. Holl Printed Name & Address FL 33	Printed Name 6050 SW 55th Pl Address (if different) Address (if different)
STATE OF FLORIDA)	
) SS COUNTY OF MIAMI-DADE) BROWGRO	l
acknowledgments, personally []online notarization Apply proven, by producing the foll privers License to be the Mem REAL ESTATE AND INVESTMENT, company. Said Member executed voluntarily for the purposes	
WITNESS my hand and off aforesaid, the day and year l	icial seal in the County and State ast aforesaid.
KAREN LISBETH BORGE Commission # HH 096398 Expires March 26, 2025 Bonded Thru Budget Notary Services	Notary Signature Notary Signature Printed Notary Signature
NOTARY SEAL/STAMP	Notary Public, State of Florida
	My commission expires: 03/26/2025
	Commission/Serial No. HH096398

Page 4 of 4

EXHIBIT "A" TO EASEMENT

EXHIBIT "A" 12 FEET MD-WASD WATER EASEMENT "UP TO YOU"



LOCATION MAP

PROPERTY ADDRESS:

FOLIO NO. 30-2136-019-0020

REFERENCE ADDRESS:

DATE: 05-05-2023

650 NW 105 ST MIAMI, FL 33150

"UP TO YOU", T-24437, SECTION 36, TOWNSHIP 52 SOUTH, RANGE 41 EAST LYING AND BEING IN MIAMI-DADE COUNTY FLORIDA (NOT TO SCALE)

> THIS DOCUMENT CONSIST OF 4 SHEETS AND NEITHER SHALL BE CONSIDERED FULL, VALID AND COMPLETE WITHOUT THE OTHERS.

PARCEL NUMBER: 30-2136-019-0020		
LOCATION MAP, PROPERTY ADDRESS		
Project No.: 1912.0136-02		
Drawn by: M.G.	SKETCH	
Approved by: AM	SHEET 1 OF 4	

Scale: AS SHOWN

ASSOCIATES, INC. PROFESSIONAL SURVEYORS AND MAPPERS MDC022 L.B. No. 7633 1435 S.W. 87th AVENUE SUITE "201" MIAMI, FL 33174 PHONE: (305) 556-4002 FAX: (305) 556-4003 EMAIL:

JFEE@LMSURVEYING.COM

12 FEET MD-WASD WATER EASEMENT "UP TO YOU"

SURVEYOR'S NOTES:

- 1.) THIS IS NOT A BOUNDARY SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
- 2.) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 3.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SKETCH AND LEGAL DESCRIPTION THAT MAY BE FOUND IN THE INSTRUMENTS, IF ANY AFFECTING THIS PROPERTY.
- 4.) BEARINGS SHOWN HEREON AND NORTH ARROW DIRECTION ARE BASED ON AN ASSUMED VALUE OF N 87'52'45" E, ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET IN MIAMI-DADE COUNTY, FLORIDA, AND ALL OTHER ARE RELATIVE THERETO.
- 5.) THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREIN IS BASED ON THE INFORMATION SHOWN ON THE WATER AND SEWER AS—BUILT AS PER DEPARTMENT OF WATER AND SEWER (WATER DISTRIBUTION SYSTEM), CITY OF MIAMI, FL. SHEETS E8239 AND ES—7716—17.
- 6.) NO TITLE RESEARCH HAS BEEN PERFORMED TO DETERMINE IF THERE ARE ANY CONFLICT EXISTING OR ARISING OUT OF THE CREATION OF THE EASEMENT, RIGHT OF WAYS, PARCEL DESCRIPTIONS, OR ANY OTHER TYPE OF ENCUMBRANCES THAT THE HEREIN DESCRIBED LEGAL MAY BE UTILIZED FOR.
- 7.) THE VERTICAL CLEARANCE OF THIS EASEMENT IS 25.00 FEET.
- 8.) THE INTENT OF THIS EASEMENT IS TO ENCOMPASS THE INSTALLED WATER DISTRIBUTION AND RELATED FACILITIES, AS SHOWN
- ON THE WATER AS-BUILT AS PER DEPARTMENT OF WATER AND SEWER (WATER DISTRIBUTION SYSTEM), E8239-1.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SKETCH AND LEGAL DESCRIPTION IS TRUE AND CORRECT AND WAS MADE UNDER MY DIRECT SUPERVISION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYOR AND MAPPER CHAPTER 5J-17.050 THRU 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE. PURSUANT TO CHAPTER 472.02, FLORIDA STATUTE. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.



Digitally signed by Arturo Mendigutia

Date: 2023.05.19 13:42:33 -04'00'

ARTURO MENDIGUTIA P.S.M. PROFESSIONAL SURVEYOR & MAPPER. STATE OF FLORIDA REG. No. 5844

PARCEL NUMBER: 30-2136-019-0020

SURVEYOR'S NOTES

Project No.: 1912.0136-02

SKETCH

Drawn by: M.G.

Approved by: AM

DATE: 05-05-2023

SKETCH

SHEET 2 OF 4

Scale: AS SHOWN



1435 S.W. 87th AVENUE SUITE "201" MIAMI, FL 33174 PHONE: (305) 556-4002 FAX: (305) 556-4003 EMAIL:

JFEE@LMSURVEYING.COM

12 FEET MD-WASD WATER EASEMENT "UP TO YOU"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING AND BEING WITHIN TRACT "A" OF UP TO YOU, ACCORDING TO THE TENTATIVE PLAT NUMBER 24437, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR AN EASEMENT PURPOSE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 12 FEET EASEMENT LYING 6 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

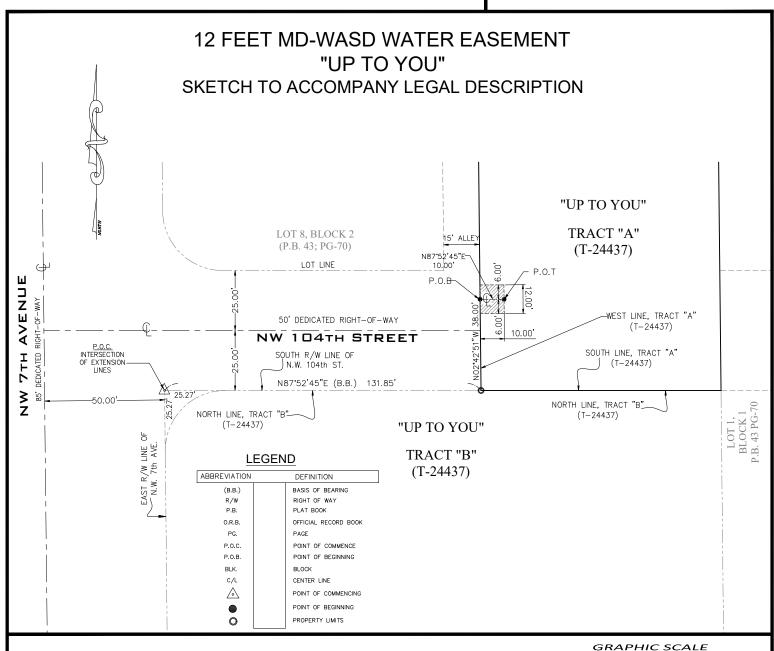
COMMENCING AT THE POINT OF INTERSECTION OF THE EXTENSION LINES OF THE EAST RIGHT OF WAY LINE OF N.W. 7th AVENUE AND THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET, ACCORDING TO THE TENTATIVE PLAT NUMBER 24437, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N87'52'45"E ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 104th STREET, ALSO BEING THE NORTH LINE OF TRACT "B" (T-24437), A DISTANCE OF 131.85 FEET TO A POINT ON THE WEST LINE OF TRACT "A" (T-24437), A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING OF HEREON DESCRIBED CENTER LINE; THENCE N87'52'45"E, A DISTANCE OF 10 FEET TO THE POINT OF TERMINATION.

SAID LAND SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING APPROXIMATELY 120 SQUARE FEET.

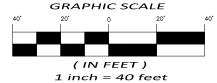
FOLIO NUMBER: 30-2136-019-0020
LEGAL DESCRIPTION TO ACCOMPANY SKETCH
Proiect No.: 1912.0136-02

Drawn by: M.G.	SKETCH	
Approved by: AM	SHEET 3 OF 4	
Date: 05-05-2023	Scale: N/A	





THIS IS NOT A BOUNDARY SURVEY



FOLIO NUMBER: 30-2136-019-0020		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
Project No.: 1912.0136-02		
Drawn by: M.G.	SKETCH	
Approved by: AM	SHEET 4 OF 4	
Date: 05-05-2023	Scale: 1" = 40'	



1435 S.W. 87th AVENUE
SUITE "201"
MIAMI, FL 33174
PHONE: (305) 556-4002
FAX: (305) 556-4003
EMAIL:
JFEE@LMSURVEYING.COM



MEMORANDUM

(Revised)

TO:	Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners	DATE:	December 12, 2023
FROM:	Bonzon-Keenan County Attorney	SUBJECT:	Agenda Item No. 5(E)
Ple	ease note any items checked.		
	"3-Day Rule" for committees applicable if ra	ised	
	6 weeks required between first reading and p	ublic hearin	g
	4 weeks notification to municipal officials required hearing	uired prior (to public
	Decreases revenues or increases expenditures	s without bal	ancing budget
	Budget required		
	Statement of fiscal impact required		
	Statement of social equity required		
	Ordinance creating a new board requires det report for public hearing	ailed County	Mayor's
	No committee review		
	Applicable legislation requires more than a magnesent, 2/3 membership, 3/5's, 7 vote requirement per 2-116.1(3)(h) or (4)(c) requirement per 2-116.1(3)(h) or (4)(c), requirement per 2-116.1(4)(c)(2)) to apply	, unanimou), CDM or CDMP 9	rs, CDMP P 2/3 vote

Current information regarding funding source, index code and available

balance, and available capacity (if debt is contemplated) required

Approved	Mayor	Agenda Item No. 5(E)
Veto		12-12-23
Override		
	RESOLUTION NO.	

RESOLUTION GRANTING PETITION TO CLOSE NW 104 STREET FROM 181.85 FEET EAST OF THE CENTERLINE OF NW 7 AVENUE EAST FOR 100 FEET (VACATION OF RIGHT-OF-WAY PETITION NO. P-964) FILED BY USA REAL ESTATE AND INVESTMENT, LLC, SUBJECT TO CERTAIN CONDITIONS; RETAINING A NON-EXCLUSIVE UTILITY EASEMENT RIGHT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE NON-EXCLUSIVE UTILITY EASEMENT AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, Vacation of Right-of-Way Petition No. P-964 was signed by the owners of all of the properties abutting on the portion of right-of-way sought to be closed; and

WHEREAS, a public hearing was held in compliance with Resolution No. 7606,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and incorporated by reference.

Section 2. Vacation of Right-of-Way Petition No. P-964 is hereby granted and the alley, avenue, street, highway, or other place used for travel as described in the petition attached as Exhibit 2 to the County Mayor's Memorandum is hereby vacated, abandoned, and closed subject to the condition precedents contained in section 3 below.

Section 3. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed, save and except that this closure is subject to (a) the County's retention of a non-exclusive utility easement, in substantially the form attached to the County Mayor's Memorandum as Exhibit 3, over, along, and under a portion of this land and the recordation of the same; and (b) the recordation of the plat of "UP TO YOU" (Tentative Plat T-24437), if the plat is not recorded within four years from the effective date of this resolution, then this resolution shall be null and void (the "condition precedents"). This Board authorizes the County Mayor or County Mayor's designee to execute the non-exclusive utility easement in substantially the form attached to the County Mayor's Memorandum as Exhibit 3 and to exercises all rights conferred therein.

Section 4. It is found that the action will serve a public purpose and benefit the public without violating private property rights.

Section 5. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

Section 6. Pursuant to Resolution No. 7606, the Clerk is hereby directed to publish notice of the adoption of this resolution one time within 30 days hereafter in a newspaper of general circulation of Miami-Dade County and the County Mayor or County Mayor's designee shall record the proof of publication of the notice of public hearing of this resolution as adopted and the proof of publication of the notice of the adoption of this hearing in the public records of Miami-Dade County.

Agenda Item No. 5(E) Page No. 3

Section 7. The County Mayor or County Mayor's designee is directed to forthwith file a Certificate with the Clerk subsequent to the recording of the plat and the reservation of the non-exclusive utility easement confirming that the conditions set forth in section 3(a) have been met, to be permanently stored alongside this resolution.

Section 8. Pursuant to Resolution No. R-974-09, (a) the County Mayor or County Mayor's designee shall record the non-exclusive utility easement in the public records of Miami-Dade County, Florida and shall provide a copy of the recorded instrument to the Clerk of the Board within 30 days of the recordation of the easement; and (b) the Clerk of the Board shall attach and permanently store a copy of the recorded instrument together with this resolution.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman Anthony Rodríguez, Vice Chairman

Marleine Bastien

Kevin Marino Cabrera

Roberto J. Gonzalez

Danielle Cohen Higgins

Kionne L. McGhee

Micky Steinberg

Juan Carlos Bermudez

Sen. René García

Keon Hardemon

Eileen Higgins

Raquel A. Regalado

Agenda Item No. 5(E) Page No. 4

The Chairperson thereupon declared the resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By:____

Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Annery Pulgar Alfonso